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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
RANDALL WILLIAM CLARY,)
)
Defendant.)

No. CR 10-0668 RS

**STIPULATION AND ~~PROPOSED~~
ORDER EXCLUDING TIME**

During the parties' appearance on March 15, 2011, the Court set April 12, 2011 as the next date for a further status conference. During that appearance, counsel requested that time between March 15th and April 12th be excluded from any time limits applicable under 18 U.S.C. § 3161, for the purpose of effective preparation of counsel, specifically, to review records that had only recently been received. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties agree that the ends of justice served by granting such an exclusion of time outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). At the March 15th, hearing, the Court made findings consistent with that agreement.

STIPULATION AND ~~PROPOSED~~ ORDER EXCLUDING TIME
CR 10-0668 RS

1 SO STIPULATED:

2 MELINDA HAAG
3 United States Attorney

4 DATED: March 29, 2011

5 /s/
6 KEVIN J. BARRY
7 Assistant United States Attorney

8 DATED: March 29, 2011

9 /s/
10 STEVEN G. KALAR
11 Attorney for RANDALL WILLIAM CLARY

12 ~~PROPOSED~~ ORDER

13 For the reasons stated above and at the March 15, 2011 hearing, the Court finds that
14 exclusion from the time limits applicable under 18 U.S.C. § 3161 the period from March 15,
15 2011 through April 12, 2011 is warranted and that the ends of justice served by the continuance
16 outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C.
17 §3161(h)(7)(A). The failure to grant the requested exclusion of time would deny counsel for the
18 defendant and for the government the reasonable time necessary for effective preparation, taking
19 into account the exercise of due diligence, resulting in a miscarriage of justice. 18 U.S.C.
20 §3161(h)(7)(B)(iv).

21 IT IS SO ORDERED.

22 DATED: 3/29/11

23 
24 THE HONORABLE RICHARD SEEBORG
25 United States District Judge
26
27
28